

# In the Supreme Court of the State of Alaska

**Evvie Punches,**

Appellant,

v.

**McCarrey Glen Apartments, LLC,  
Weidner Property Management and  
LLC,**

Appellees.

Supreme Court No. S-17465

## **Order Rejecting Appellant's Brief**

Date of Order: 11/4/19

Trial Court Case No. **3AN-17-06784CI**

Appellant's brief and excerpt of record, filed on 10/22/19, are rejected for the following reasons specified by the law clerk who reviewed the brief and excerpt for technical compliance with Appellate Rules 210 and 212.

### **Appellant's Brief:**

1. The cover does not indicate the name of the court below: Superior Court, Third Judicial District at Anchorage. AR212(b)(4)
2. The cover incorrectly lists the Clerk of Court's name, it is Meredith Montgomery.
3. The cover should not list the opposing party's information.
4. Verify accuracy of Table of Contents, e.g.: Standard of Review is at 6, not 7; Factual Summary subheading 2) is at 11, not 12; Argument 1) subheadings 1-5 are not included; Argument 3) and subheading A) are at 32, not 33.
5. Verify accuracy of Table of Authorities, e.g.: Rule 56(f) at pages 12, 13, 14; Rule 60(b) at page 16; Rule 68 at page 18; Rule 26 is cited at page 21 but Rule 41 does not appear to be; Rule 41 at page 26; Rule 37 at page 27; *Great Nw.* does not appear to be at 28; *Planned Parenthood* is at page 29, not 28; *Poulin* is at page 32, not 28; most of the cases listed as page 31 appear at page 32; *Mitchell* and *Charles* are at page 33, not 32; *Gamble* and Rule 56 at page 34; Rule 60(b) at page 36; Rule 60(b) at page 39.

6. Rule 212(c)(1)(B) requires that other authorities follow the table of cases.
7. Rule 212(c)(1)(C) requires that constitutional provisions, statutes, court rules, ordinances, and regulations principally relied upon be quoted or summarized.
8. Rule 212(c)(4) provides: “Numbered pages for purposes of this paragraph begin with the jurisdictional statement required by (c)(1)(D) of this rule.”
9. The Statement of the Case at page 6 fails to include citations to the excerpt or record.
10. Verify that every factual assertion is supported by a citation to the excerpt or record, e.g.: page 8, ¶3; page 9, ¶2; page 10, ¶2 of item 2; page 11, ¶3 of item 4; most of page 12; the paragraph beginning on page 13 and carrying over to page 14; most of page 14; most of page 17; most of page 18; most of page 20; page 23; page 24, ¶1 of item 3; page 25, ¶2 and most of the final paragraph; pages 29-31; page 34, footnote 6; page 36, everything after the first full paragraph; page 37, final paragraph; page 39.
11. Font in footnotes does not appear to comply with Appellate Rule 513.5.

**Appellant’s Excerpt:**

1. Cover does not indicate the name of the court below: Superior Court, Third Judicial District at Anchorage. Clerk’s Instructions for Preparation of Excerpts, A.1.
2. Cover does not indicate volume number, e.g.: Volume 1 of 1.
3. Cover incorrectly lists the Clerk of Court’s name, it is Meredith Montgomery.
4. Cover should not list the opposing party’s information.
5. Clerk’s Instructions require that the Table of Contents list each document by title and *execution date*.
6. Clerk’s Instructions require that documents be in chronological order with the earliest document on top.
7. Verify that Excerpt includes all required documents, e.g.: Rule 210(c)(2)(A)(1) requires including the answer.

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8. Verify accurate page numbering, e.g.: two pages are numbered 34; two pages are numbered 42; there is no 48; page 51 is missing; pages 60-62 are missing.

The original and one copy of the corrected brief, and the excerpt, with proof of service, are due on or before **11/14/19**.

The current due date of the appellee's brief is **VACATED**. A new due date will be set when the appellant's corrected brief is accepted.

Entered under Appellate Rule 102(f).

Clerk of the Appellate Courts



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Beth A. Pechota, Deputy Clerk

**Distribution:** (attached copy of Clerk's Instructions)

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